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OFFICIAL GAZETTE



GOVERNMENT OF GOA

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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate,
North Goa, Magisterial Branch

Order

No. 1/MAG/Lok Sabha Election 2024/100/200 mts./82

Under Section 144 of the Code of Criminal Procedure of 1973

Whereas, the Election Commission of India has announced the General Election to the Lok Sabha 2024, for 01 - North Goa Parliamentary Constituency which is scheduled to be held on 07-05-2024 and the Election Model Code of Conduct has already come into force with effect from 16-03-2024. The Election Commission of India, New Delhi has inter alia issued various directions to ensure free, fair and peaceful Elections;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace on the eve of the poll mainly due to misuse of Hotels, Restaurants, Tea shops, Pan shops and other food shops/joints (Dhabas, Gaddas) etc., while carrying out door to door campaigning and due to gathering of crowd at places within the vicinity of 200 meters of the polling stations, which creates nuisance and law and order problems.

And whereas, Sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or voter

and whoever commits offence of bribery is punishable under Section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under Section 171-F of IPC.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973, I hereby pass the order ex-parte.

Now therefore, I, Dr. Sneha S. Gitte, IAS, District Magistrate, North Goa District, in exercise of the powers vested in me under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 hereby issue following Prohibitory orders valid from 06.00 a.m. to 07.00 p.m. on the day of poll on 07-05-2024;

1. That all Restaurants, Bars, Eateries, Tea shops, Pan shops and other food joints, Gaddas etc. situated in Urban areas of Municipal jurisdiction within 100 mtrs. of the polling station shall remain closed at aforesaid date and time.
2. That all Restaurants, Bars, Tea shops, Pan shops, Eateries and other Food shops/joints (Dhabas, Gaddas) etc., situated in Rural areas of Village Panchayat jurisdiction within 200 mtrs. of the polling station shall remain closed at aforesaid date and time.
3. Ban any gathering or crowd comprising of more than 5 persons within 200 meters of any polling stations in the entire North Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide

marriage or funeral processions or religious processions/functions. Also, the above order shall not apply to the authorized officers on Election Duty by the Election Commission or the State Government, including the polling officials, Magistrates, Police officials and Government staff.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 30th day of April, 2024.

Panaji.— The District Magistrate & DEO (North),
Dr. *Sneha S. Gitte*, IAS.

Order

No. 1/MAG/Lok Sabha Election 2024/Campg./89

**Under Section 144 of the Code of Criminal Procedure
of 1973**

Whereas, the Election Commission of India has announced the General Election to the Lok Sabha 2024, for 01 - North Goa Parliamentary Constituency which is scheduled to be held on 07-05-2024 and the Election Model Code of Conduct has already come into force with effect from 16-03-2024. The Election Commission of India, New Delhi has inter alia issued various directions to ensure free, fair and peaceful Elections;

And whereas it has come to the notice of the undersigned that political disputes, confrontation and violence start on the eve of the poll day mostly while carrying out campaigning and intimidation of voters or influencing voters due to gathering of crowd creates nuisance and law and order problems.

And whereas Section 126 of the Representation of the People Act, 1951, provides that no candidate shall try to influence voters in any way and thus no public meetings, procession, musical concert or rally or any kind of efforts for campaigning or electioneering is to be allowed in the last 48 hours from the hours of close of poll i.e., 18:00 hrs. on 05-05-2024.

And whereas Sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under Section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under Section 171-F of IPC.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973, I hereby pass the order ex-parte.

Now therefore, I, Dr. *Sneha S. Gitte*, IAS, District Magistrate, North Goa District, in exercise of the power vested in me under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 do hereby order that:

- (1) From 18:00 hours of 05-05-2024 to 18:00 hours of 08-05-2024 in all Assembly Constituencies under the jurisdiction of North Goa District Election office,
 - (a) Any Assembly of five or more persons (including contesting candidates & workers) will be deemed as an unlawful assembly under Section 144 of the Code of Criminal Procedure, 1973 and shall be prohibited from holding any procession or rally under the garb of house to house visits or corner meetings to prevent creation of any nuisance or law and order problem.
 - b) No vehicles permitted for use of contesting candidates by the Returning Officer for campaigning shall ply on roads to prevent the distribution of money, gifts or liquor and to prevent any nuisance and law and order problem. This does not include the vehicles especially authorized by the Returning Officer, DEO & CEO for use on the day of poll.
 - (c) All private vehicles shall be checked in a dignified manner to avoid their misuse for distribution of money, gifts or liquor or for causing any nuisance or any harassment to private persons.
 - (d) No loudspeaker shall be permitted to be used between 18:00 hrs. on 05-05-2024 to 18:00 hrs. on 07-05-2024.

However, the above order shall not apply to officers on Election Duty authorised by the Election Commission or the State Government, including polling officials, Magistrates, Police officials and Government staff.

I further direct that the above restriction shall not apply to public servants on duty, to bonafide marriage or funeral processions, religious functions, any

special occasion or any occasion which in the opinion of the District Magistrate/Additional District Magistrate/Sub-Divisional Magistrates, is genuine and for which prior permission in writing has been obtained from the District Magistrate/Additional District Magistrate or the Sub-Divisional Magistrate concerned.

Given under my hand and seal of this office on this 3rd day of May, 2024.

This order shall supersede earlier order No. 1/MAG/Lok Sabha Election 2024/Campg/81 dated 30-04-2024.

Panaji.— The District Magistrate & DEO (North),
Dr. *Sneha S. Gitte*, IAS.

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